

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 237A.12(1)“b,” the Department of Human Services proposes to amend Chapter 110, “Child Development Homes,” Iowa Administrative Code.

The purpose of this amendment is to eliminate the restriction prohibiting the use of a cellular telephone as a primary telephone in registered child development homes. With the advancement in cellular telephone technology, it is no longer necessary to limit cellular telephone use in child development homes. None of the states surrounding Iowa include this limitation in their rules.

Any interested person may make written comments on the proposed amendment on or before January 29, 2013. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

This amendment does not provide for waivers in specified situations because waivers are not necessary. Providers are not required to switch to cellular telephone service, they simply may do so if they desire. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 237A.12(1)“b.”

The following amendment is proposed.

Amend paragraph **110.5(1)“a”** as follows:

a. The home shall have a non-pay, working telephone with emergency numbers posted for police, fire, ambulance, and the poison information center. ~~A cell phone shall not be used as the primary phone.~~ If the working telephone is a mobile telephone, these numbers must be programmed and saved into the telephone. The number for each child’s parent, for a responsible person who can be reached when the parent cannot, and for the child’s physician shall be readily accessible by the telephone. If the working telephone is a mobile telephone, these numbers must also be programmed and saved into the telephone.